

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

ERIC CERVINI, WENDY DAVIS,	§	
DAVID GINS, and TIMOTHY HOLLOWAY	§	
	§	
Plaintiffs,	§	Civil Action
v.	§	
	§	No. 1:21-CV-565-RP
ELIAZAR CISNEROS, HANNAH CEH,	§	
JOEYLYNN MESAROS, ROBERT	§	
MESAROS, DOLORES PARK, and	§	
JOHN and JANE DOES	§	
	§	
Defendants.	§	

**DEFENDANTS’ MOTION FOR LEAVE  
TO FILE ADDITIONAL EXHIBIT**

Defendants, Joeylynn and Robert Mesaros (collectively the “Mesaros Defendants”), file this Motion for Leave to File Additional Exhibit for their “Response in Opposition to Motion for a Protective Order” (Doc. 53). Mesaros Defendants have conferred with Plaintiffs’ counsel who stated they are not opposed. In support of its Motion, the Mesaros Defendants state the following:

On January 26, 2022, Plaintiffs filed their “Opposed Motion for a Protective Order.” Doc. 48. Mesaros Defendants filed their response in opposition to the motion on February 9, 2022. Doc. 53. Included with their response were a number of exhibits included with the filing. *See* Docs. 53-1 – 53-9 (Exhibits A-H). However, the response cites and relies upon an additional Exhibit I that was not filed due to technical difficulties. *See* **Exhibit I** (attached). While preparing to finish the filing, counsel for the Mesaros Defendants was unable to successfully convert the files into a “.pdf” format that could be submitted in Court’s CM/ECF system. Having now successfully converted the files into a “.pdf,” the Mesaros Defendants request leave

of this court to file the additional exhibit. In the alternative, Mesaros Defendants request leave to refile the response with the correct number of exhibits appended.

#### **CONCLUSION**

Mesaros Defendants respectfully request that the Court grant them leave to file the additional exhibit to their response.

Respectfully submitted,

/s/ Austin M. B. Whatley

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#### **CERTIFICATE OF CONFERENCE**

On February 10, 2022, the undersigned conferred by email with counsel for Plaintiffs, who indicated that the City is not opposed to this motion for leave.

/s/ Austin M. B. Whatley

Austin M. B. Whatley

#### **CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on February 10, 2022, the foregoing document, and any accompanying exhibits and proposed order, was served by CM/ECF upon all counsel of record.

/s/ Austin M. B. Whatley

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